Fraudulent exports by Bata (India) Limited

968. SHRI SATYA PRAKASH MALAVIYA:
SHRI DHULESHWAR MEENA:

Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Directorate of Revenue Intelligence has recently detected a huge fraud by Bata (India) Limited, a leading multinational company, by way of fraudulent exports;

(b) if so, what are the details in this regard and what is the amount involved; and

(c) what action has been taken by Government against the company?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): (a) to (c) On 3rd February, 1986, the officers of the Directorate of Revenue Intelligence, searched the premises of Bata factories and offices at Faridabad, Delhi, Bata Nagar and Calcutta. As a result, incriminating documents indicating company's involvement in certain fraudulent practices to get higher amount of drawback from the Government were recovered and seized. Preliminary scrutiny of the voluminous incriminating documents seized indicates that the Company was claiming higher amount of drawback based on their consumption data in respect of their export brands of rubber footwears.

On completion of investigation, appropriate action for the realisation of excess drawback paid to the Company would be taken apart from launching of penel proceeding as warranted under law.

Amendment of the payment of Gratuity Act, 1972

969. SHRI SATYA PRAKASH MALAVIYA: Will the Minister of LABOUR be pleased to state:

(a) whether there is any proposal to amend the payment of Gratuity Act, 1972;

(b) if so, what are the details thereof;

(c) whether it is a fact that on earlier occasions a number of representations were received to amend the Payment of Gratuity Act; and

(d) if so, what action has been taken thereon?

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR (SHRI P. A. SANGMA): (a) to (d) There have been number of representations for amending the Payment of Gratuity Act, 1972, with a view to removing the wage limit for coverage, raising the ceiling for payment of gratuity etc. These representations have been examined and certain proposals for amendment are under active consideration of the Government.

Supreme Court judgement regarding seniority of IES Officers

970. SHRI M. KADHARSHA: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the Supreme Court in its judgement of 11th February, 1986 in regard to seniority of Indian Economic Service Personnel stated that as against the total of 435 vacancies in IES meant for direct recruits between the years 1964 and 1984, only 342 direct recruits were appointed and that the posts which remained unfilled had been held by the persons who were departmental candidates;

(b) if so, whether the judgement of the Supreme Court is applicable to the remaining unfilled posts which were held by the Departmental candidates for determining their seniority vis-a-vis the direct recruits;

(c) if so, what are the details thereof; and

(d) what is the number of posts in the service in grade IV which have been filled up during 1964—84 on the basis of 25 per cent of the vacancies by a selection from amongst officers serving in offices under the economic course recognised for this purpose by the controlling authority?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARY): (a) The Hon'ble Supreme Court in its judgement of 11-2-1986 mentioned that by the year, 1984, in all there were 435 vacancies for direct recruits, out of which 342 posts were filled up by direct recruitment. In all, 93 post intended for direct recruits, remained unfilled and most of them were held by persons who had been promoted from the feeder posts.

(b) The Hon'ble Supreme Court has directed to that all persons who are stated to have been promoted to several posts in Gr. IV, as having been regularly appointed to the said posts in Gr. IV and assign them seniority in the Cadre w.e.f. the dates of their continuous officiation. The direct recruits to Grade IV will be assigned seniority w.e.f. the date on which their names were recommended by the Union Public Service Commission. The remaining unfilled vacancies will be filled up in accordance with the IES rules i.e. not more than 40 per cent by promotion from amongst feeder post holders and not less than 60 per cent by direct recruitment.

(c) and (d) Do not arise.

Acturial valuation for gratuity and pensions funds

971. SHRIMATI SUDHA VIJAY JOSHI:

SHRIMATI AMARJIT KAUR:

Will the Minister of FINANCE be pleased to state:

(a) whether Government are considering a proposal to make acturial valuation compulsory for gratuity and pension funds under the provisions of the Income Tax Act;

(b) if so, whether it is going to be an annual valuation or once in two or three years;

(c) whether Government propose to approve actuaries for this purpose; and

(d) if not, whether Government propose to stipulate method under Income Tax Act for funding gratuity and pension funds?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI JANARDHAN POOJARI): (a) No, Madam. There is no such proposal under consideration.

(b) and (c) Do not arise.

(d) There is no proposal under consideration of the Government to amend the Income-tax Rules, 1962 which prescribe the basis for contribution to the approved gratuity and superannuation funds.

Transfer of Central Government officers to insurance corporation

972. SHRI M. KADHARSHA: Will the Minister of FINANCE be pleased to state:

(a) whether there is any proposal under Government's consideration to transfer Central Government officers to either of the Insurance Corporations, i.e. Life Insurance Corporation or General Insurance Corporation;